

**Appl. No. 10/650,278**  
**Amdt. dated June 23, 2005**  
**Reply to Office action of March 23, 2005**

## **REMARKS**

### **I. CLAIM STATUS**

Claims 1-22 were pending. Claim 16 has been canceled. Claims 9, 13 and 17 have been amended. Claims 1-15 and 17-22 are therefore pending.

### **II. CLAIM OBJECTIONS**

Claim 17 was objected to as being unclear for using the term "data storage means" without an antecedent basis. Applicants have amended the claim to correct this error.

### **III. REJECTIONS UNDER 35 U.S.C. § 102**

Claims 1, 9-11, 17 and 19-20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,836,431 ("Chang"). Insofar as these rejections apply to the currently pending claims, applicants respectfully traverse because the cited art fails to teach or suggest every element of the claims.

For example, claim 1 recites in part "using the first memory element to determine a decision threshold ... [and determining the] stored data value in the first memory element." Accordingly, the first memory element serves two functions: it is used to determine a decision threshold, and it stores a data value that is determined from a decision threshold comparison. Such functionality obviates any need for reference cells that do not store data and hence reduce information storage density. In contrast, Chang teaches a reference cell 200 (Fig. 5) that simply provides a voltage reference and consequently requires no determination of a data value stored therein. For at least this reason, applicants maintain that claim 1 and its dependent claims 2-8 are allowable over the cited art.

Independent claim 9 has been amended to incorporate the limitations of dependent claim 16 that the examiner indicated were allowable subject matter. For at least this reason, applicants submit that independent claim 9 and its dependent claims 10-12 and 14-15 are allowable over the cited art.

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As amended, independent claim 17 recites "the sensing means determines a decision threshold using multiple portions of the [sequentially retrieved] data sector." Chang relies on a single, dedicated reference cell for a sequential read, and does not teach or suggest the quoted limitations. For at least this reason, independent claim 17 and its dependent claims 18-20 are allowable over the cited art.

#### **IV. ALLOWABLE SUBJECT MATTER**

Claims 21 and 22 have been allowed by the examiner.

The examiner further indicated that claims 2-8, 12-16 and 18 would be allowable if rewritten in independent form. Applicants have deferred amending claims 2-8 and 18 pending the prosecution outcome on independent claims 1 and 17. Claim 13 has been amended into independent form. Claim 16 has been canceled and its limitations incorporated into independent claim 9. Claims 12 and 14-15 depend from claim 9 and are believed in allowable form for at least this reason.

#### **V. CONCLUSION**

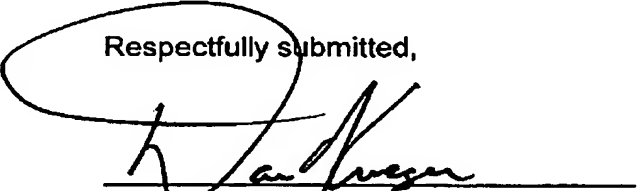
In the course of the foregoing discussions, applicant may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional

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extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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